

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

HPEV, INC., a Nevada corporation,  
Plaintiff  
v.  
SPIRIT BEAR LIMITED, a Delaware corporation,  
Defendant.

Case No. 2:13-cv-01548-JAD-GWF

**Order Granting Unopposed Motion to  
Set Final Fairness Hearing  
[ECF 179]**

#### ALL OTHER CLAIMS AND PARTIES

The court has reviewed the Unopposed Motion to Set Fairness Hearing re: Derivative Lawsuit Settlement and found good cause therefor. Accordingly, IT IS HEREBY ORDERED that the unopposed motion [ECF 179] is GRANTED and:

1. A formal, final fairness hearing to consider the approval of the Derivative Action Settlement Agreement as amended will take place **at 10:00 a.m. on Friday, November 20, 2015**, in Courtroom 6D of the Lloyd D. George U.S. Courthouse.

2. The notice attached as Exhibit F to the Motion to Set Fairness Hearing Re: Derivative Lawsuit Settlement [ECF 179-6] is hereby approved with one addition: below the names and addresses of the attorneys on the final page of the notice, add the sentence: DO NOT CONTACT THE COURT WITH QUESTIONS.

3. No later than September 25, 2015, HPEV must send the approved notices via first-class United States mail to shareholders of record as of July 31, 2015.

Dated September 9, 2015

  
Jennifer Dorsey  
United States District Judge